

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA**

United States of America,

vs.

Plaintiff,

Case No.: 23-cr-00241-SJM-1

Date: 9/6/2024

Court Time: 1:39 p.m. to 2:10 p.m.

Cody Paul Miller,

Defendant(s).

**MINUTE SHEET - SENTENCING**

Stephen J. Murphy III, U.S. District Judge

C. Butler, Deputy Clerk

Leslie Ruiz, Reporter

Crt Rm 4

Counsel for Plaintiff: Matt Cyran

Counsel for Defendant: Ben Hilfiger

Appt.

Probation Officer: Logan Harrison

Interpreter:

 sworn;  N/A

- Defendant appears in person with counsel       Counsel waived       Evidentiary
- Plaintiff & Defendant reviewed PSI:       Obj by:       Pltf       Deft;       No Obj;       Court adopts/accepts
- 18:3553 Findings re: PSI/Sentence made;       Findings re: Plea Agreement Accepted
- Court affirms finding of guilt and accepts guilty plea before U.S. Magistrate Judge
- Sentence re: Guideline;  Findings made;       Departure:       Variance:       Upward       Downward
- Victim present and heard;  Victim present       Victim not present
- Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown
- Motion [Dkt. \_\_\_\_\_]:       Granted       Denied       Granted/Denied in part       Moot
- Motion [Dkt. \_\_\_\_\_]:       Granted       Denied       Granted/Denied in part       Moot

**SENTENCE: As to Count(s) 2****of the Indictment**

:

- Bureau of Prison for a term of 138 months       Concurrent       Consecutive       Not Imposed
- Probation for a term of \_\_\_\_\_       Concurrent       Consecutive       Not Eligible
- Supervised Release for term of 5 years       Concurrent       Consecutive       Not Imposed
- Fine:      \$ \_\_\_\_\_       With Interest       Interest Waived       Not Imposed
- Restitution:      \$ \_\_\_\_\_       With Interest       Interest Waived       Not Applicable
- Special Monetary Assessment      \$ 100       Due Immediately       As Directed
- JVTA Assessment (18 USC 3014)      \$ \_\_\_\_\_       Waived-Defendant found indigent       Not Applicable
- AVAA Assessment (18 USC 2259)      \$ \_\_\_\_\_       Waived-Defendant found indigent       Not Applicable
- Order of Forfeiture [Dkt. \_\_\_\_\_]: is hereby incorporated into the Judgment by reference

**STANDARD CONDITIONS as previously adopted by this court including the following additional conditions:**

- Firearm, Ammunition, et al Restriction
- DNA Sample
- Controlled Substances Restriction
- Drug Testing       Drug Testing Suspended
- Alcohol Abstinence
- Anger Management
- Community Confinement - \_\_\_\_\_ months
- Community Service - \_\_\_\_\_ hours
- Computer Restriction
- Curfew - \_\_\_\_\_ months\*
- Domestic Violence Program
- Financial
- Gambling;       to include treatment
- Home Detention Condition - \_\_\_\_\_ months\*
- Immigration
- Mental health       to include treatment
- No contact with Victim
- Search & Seizure
- Sex Offender - Paragraphs 1-3 and 7
- Sober Living
- Substance Abuse Treatment & Testing
- Workforce Development

\*Entire cost of the electronic monitoring shall be paid by:  Prob       Deft

- Defendant advised of right to appeal
- Appeal affidavit required

Court recommends to BOP:

- Designate a facility located in or near: FCI Englewood, CO
- Maximum Security Facility where Incoming and Outgoing Mail is monitored
- Residential Drug Abuse Treatment       Mental/Medical Evaluation
- Most comprehensive mental health treatment available
- Other: \_\_\_\_\_

- Deft to self surrender to designated institution by 2:00 p.m. on: \_\_\_\_\_, U.S.M. to advise of institution;  Findings made
- Remaining counts ordered dismissed: none

- Defendant remanded to custody of U.S. Marshal

**Additional Minutes:** Defendant's objections to the PSR are overruled.